



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration  
Rockville MD 20857

MAY 11 1999

1667 '99 MAY 12 P1:48

The Honorable Nick Lampson  
House of Representatives  
Washington, D.C. 20515-4309

Dear Mr. Lampson:

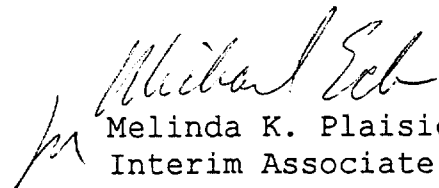
Thank you for your letter of April 16, 1999, concerning the petition for a performance standard for *Vibrio vulnificus* in shellfish filed with the Food and Drug Administration (FDA or the Agency) by the Center for Science in the Public Interest. FDA published a request for comments on this petition in the Federal Register of January 21, 1999.

You provided several reasons why you believe adoption of this proposal would have an adverse economic impact beyond any benefit. You urge FDA to reject the petition and allow the Interstate Shellfish Sanitation Conference to continue its educational activities.

Thank you for your thoughtful comments. We have entered them into the Administrative Record for this petition and they will be considered in the Agency's deliberations on this petition.

We hope this information is helpful. If we may be of further assistance, please contact us.

Sincerely,

  
Melinda K. Plaisier  
Interim Associate Commissioner  
for Legislative Affairs

cc: HFA-305 (Docket No 98P-0504)

98P-0504

ANSI

ME

# Congress of the United States

## House of Representatives

Washington, DC 20515-4309

**NICK LAMPSON**  
9TH DISTRICT, TEXAS

COMMITTEE ON  
TRANSPORTATION

COMMITTEE ON SCIENCE

April 16, 1999

The Honorable Jane Henney, Commissioner  
Food and Drug Administration  
5600 Fishers Lane, Room 1471  
Rockville, Maryland 20857

Via Fax: (301) 443-2567

Re: Docket Number 98P-0504

Dear Commissioner Henney:

I write today to express my strong objection to costly and unnecessary rules which you have been asked to consider by the Center for Science in the Public Interest.

As the United States representative of the Ninth District of Texas, and a resident of the Texas Gulf Coast, I can tell you first hand of the economic damage these proposed rules would inflict upon the oyster industry. Reduced demand would result in decreased activity, reduced fuel and equipment purchases by harvesters, container purchases by shippers and processors, the need for common carrier distributors, and reduced business and income throughout the chain from harvester to retail outlets.

The ripple effect of these proposed rules would have economic impact far beyond any benefit that would occur as a result of their imposition on the industry. Consumers should have a choice between treated oysters and fresh oysters. The small number of people who may be at real risk should heed the ample health warnings available where fresh oysters are sold and assume their own level of personal responsibility just as those who are diabetic must avoid sugar and those who are allergic to sulfites must avoid products which contain them.

I urge FDA to reject these crippling rules and allow other appropriate independent state and national bodies such as the Interstate Shellfish Sanitary Conference to continue their educational and oversight activities as they have in the past.

I look forward to hearing from you in the near future.

Sincerely,

  
NICK LAMPSON  
Member of Congress

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The Honorable

Dear

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Thank you for your thoughtful comments. We have entered them into the Administrative Record for this petition and they will be considered in the Agency's deliberations on this petition.

Please contact us if we may be of further assistance in this matter.

Sincerely,

Melinda Plaisier  
Interim Associate Commissioner for Legislative Affairs

Cc: HFA-305 (Docket No 98P-0504)

Bcc: HFW-10 (2)  
HFW-2  
HFW-12

R/d:eck; 4/27/99

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